

REMARKS

Claims 1 through 23 were presented for examination in the present application and remain pending upon entry of the instant amendment.

The specification has been amended in the manner suggested by the Examiner. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objections to the specification.

Claim 1 has been amended to correct an obvious error, namely to include "of" between the "blend" and "cotton based material" elements. It is respectfully submitted that the "removing a trim" element of claim 1 is clear. For example, the present application provides at least at paragraph [0028] that: "Trim 62 is removed from laminate 66 at fourth step 58 to provide finished edge 30 and, thus, to complete brassiere 10."

Applicants respectfully request reconsideration and withdrawal of the objection to claim 1.

Claims 1 through 23 were rejected under the judicially created doctrine of obviousness-type double patenting. Applicants respectfully submit herewith a terminal disclaimer in accordance with the provisions of 37 C.F.R. § 1.321(c). Applicants respectfully request reconsideration and withdrawal of the obviousness-type double patenting to claims 1 through 23.

Claims 4, 6, 7, 9, and 14 through 23 were rejected under 35 U.S.C. §112, second paragraph.

In regard to claim 4, the Office Action asserts that it is unclear how the finished edge resists unraveling. Applicants respectfully traverse this assertion. The present application states at least at paragraph [0028] that:

"Trim 62 is removed from laminate 66 at fourth step 58 to provide finished edge 30 and, thus, to complete brassiere 10. For example, fourth step 58 can reciprocate a die and press into one another to die cut trim 62 from laminate 66. At this stage, brassiere 10 is fully glued around the perimeter of the garment (e.g., edge 30) and, thus, does not require any additional finishing step to prevent the edge from unraveling."

Thus, it is respectfully submitted that the present application makes clear that the finished edge itself, without additional process steps, resists unraveling. Accordingly, reconsideration and withdrawal of the rejection to claim 4 are requested.

In regard to claims 6 and 7, the Office Action asserts that the bonding in selected areas has not been written in method step format.

Applicants respectfully traverse these rejections. Applicants respectfully submit that dependent method claims can include product features only.

"A claim in dependent form shall . . . specify a further limitation of the subject matter claimed." See 35 U.S.C. §112. Further, the primary purpose of this requirement of definiteness of claim language is to ensure that the scope of the claim is clear so the public is informed of the boundaries of what constitutes infringement of the patent. See Manual of Patent Examining Practice 2173.

It is respectfully submitted that claim 6 adds a further feature to independent claim 1, while claim 7 adds a further feature to claim 6. Thus, it is submitted that claims 6 and 7 meet both the requirements and purpose of section 112. For example, pending claim 6 recites:

"The method as in claim 1, wherein said adhesive layer only bonds said first and second fabric layers together in a selected region so that a non-bonded region is formed."

It is respectfully submitted that claim 6 further defines independent claim 1 through the further definition of the "adhesive layer" element. In addition, it is submitted that the scope of claim 6 is clear. Similarly, claim 7 further defines claim 6 through the

further definition of the "non-bonded region" element. In light of the traversal above, Applicants respectfully request reconsideration and withdrawal of the rejection to claims 6 and 7.

Claim 9 has been amended to clarify that the adhesive layer allows the first fabric layer to bond to the second fabric layer so that the laminate is "a stretchable laminate". It is believed that this amendment obviates the rejection and, thus, Applicants respectfully request reconsideration and withdrawal of the rejection to claim 9.

In regard to claims 14 and 19, the Office Action asserts that "stretchable laminate" has not been previously described nor has a stretchable fabric been introduced to provide the stretch.

Applicants respectfully traverse these rejections.

Independent claim 14 recites the step of "causing said adhesive layer to bond said first and second fabric layers together to form a stretchable laminate". Similarly, independent claim 19 recites the step of "causing said adhesive layer to bond said first and second fabric layers together to form a stretchable laminate". It is respectfully submitted that the stretching of the claimed "stretchable laminate" can be introduced by the first and second fabric layers as described at least in paragraphs [0023] and [0032] of the present application. Accordingly, reconsideration and withdrawal of the rejection to claims 14 and 19 are respectfully requested.

Claims 1, 4 through 7, 9, 14, 16, and 17 were rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,154,659 to Gluckin (Gluckin). Claims 8, 15, and 19 through 23 were rejected under 35 U.S.C. §103(a) over Gluckin in view of U.S. Patent No. 2,915,067 to Bracht (Bracht). Claims 2 and 3 were rejected under 35 U.S.C. §103(a) over Gluckin. Claims 10 and 11 were rejected under 35 U.S.C. §103(a) over Gluckin in view of U.S. Patent No. 5,820,443 to Burr (Burr).

Applicants respectfully traverse these rejections.

Gluckin discloses a brassiere 60 having right and left side panels 70, 72 that are sewn together by a center seam 74 as seen in Figure 2. See Col. 2, line 64 through Col. 3, line 8. Thus, Gluckin merely discloses a three layer fused laminate 100 that is larger than the right left side panel 70 or the left side panel 72, where these panels are joined by a center seam 74.

In contrast, independent claim 1 requires, in part, that the sub-assembly has “a periphery that is larger than an outer periphery of the undergarment”.

Thus, claim 1 requires a sub-assembly that has a periphery larger than the undergarment, whereas Gluckin merely discloses a laminate that is larger than the right or left side panels.

Bracht is asserted by the Office Action as disclosing a fusible material formed of polyethylene. Burr is asserted by the Office Action as disclosing a reinforcement fabric. However, neither Bracht nor Burr disclose or suggest a sub-assembly that has a periphery larger than the undergarment as recited by claim 1.

Accordingly, it is submitted that claim 1 is not disclosed or suggested by Gluckin, Bracht, or Burr alone, or in combination.

Claim 1 is therefore believed to be in condition for allowance. Claims 2 through 13 are also believed to be in condition for allowance for at least the reason that they depend from claim 1. In addition, claims 12 and 13 are believed to be allowable as these claims were not rejected by the Office Action over any cited art.

Reconsideration and withdrawal of the rejection to claims 1 through 13 are respectfully requested.

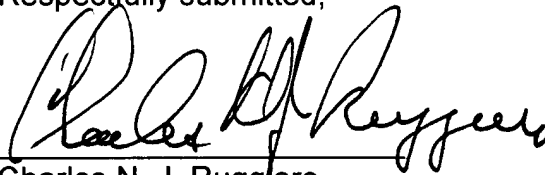
Independent claim 14 requires, in part, a stretchable laminate that has "a periphery that is larger than an outer periphery of the undergarment". Similarly, independent claim 19 requires, in part, a stretchable laminate that has "a periphery that is larger than an outer periphery of the undergarment".

Again, Gluckin merely discloses a fused laminate that is larger than either the right or left side panels. Bracht discloses a polyethylene material, while Burr discloses a reinforcement fabric. Accordingly, it is submitted that claims 14 and 19 are also not disclosed or suggested by Gluckin, Bracht, or Burr alone, or in combination.

Claims 14 and 19 are therefore believed to be in condition for allowance. Claims 15 through 18 and 20 through 23 are also believed to be in condition for allowance for at least the reason that they depend from claims 14 and 19, respectively. Reconsideration and withdrawal of the rejections to claims 14 through 23 are respectfully requested.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited. If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,



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